

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

In Re:

LLS AMERICA, LLC,

Debtor,

BRUCE P. KRIEGMAN, solely in his capacity as court-appointed Chapter 11 Trustee for LLS America, LLC,

Plaintiff,

v.

267406 BC LTD, et al.,

Defendants.

NO: CV-12-484-RMP

Bankr. Case No. 09-06194-PCW11

Adv. Proc. No. 11-80296

DEFAULT JUDGMENT

THIS MATTER came on consideration upon the Motion of Plaintiff for

Entry of Default and Judgment against Defendant S and W Forest Productions, and

it appearing from the file and records of this Court in this cause that the default

judgment (Bkcy. Dkt. No. 183) entered by the Bankruptcy Court should be deemed

1 proposed findings of fact and conclusions of law, and that entering final default
2 judgment in conformity with the default judgment entered by the Bankruptcy Court
3 is appropriate,

4 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the
5 Plaintiff, Bruce P. Kriegman, solely in his capacity as court-appointed Chapter 11
6 Trustee for LLS America, LLC, shall have a judgment against Defendant S and W
7 Forest Productions, as follows:

8 1. Monetary Judgment in the amount of CAD \$24,982.24, pursuant to 11
9 U.S.C. § 550 and RCW 19.40.071;

10 2. Transfers in the amount of CAD \$24,982.24 made to the Defendant S and
11 W Forest Productions within four years prior to the Petition Filing Date are hereby
12 avoided and Plaintiff may take all necessary action to preserve the same, pursuant
13 to 11 U.S.C. §§ 544, 550, 551 and 548(a) and (b) and RCW 19.40.041(1) and (2)
14 and RCW 19.40.071;

15 3. All said transfers to Defendant S and W Forest Productions are hereby set
16 aside and Plaintiff shall be entitled to recover the same, or the value thereof, from
17 Defendant S and W Forest Productions for the benefit of the estate of LLS
18 America, pursuant to 11 U.S.C. §§ 544, 550 and 551;

19 4. A constructive trust is hereby established over the proceeds of all transfers
20 in favor of the Trustee for the benefit of the estate of LLS America; and

5. Plaintiff is hereby awarded costs (i.e. filing fees) in the amount of \$250.00 USD, for a total judgment of CAD \$24,982.24, plus \$250.00 USD, which shall bear interest equal to the weekly average of one-year constant maturity (nominal) treasury yield as published by the Federal Reserve System.

The District Court Clerk is directed to enter this Order, enter judgment as outlined above, and provide copies to counsel and to Judge Patricia C. Williams.

DATED this 1st day of November 2012.

s/ Rosanna Malouf Peterson
ROSANNA MALOUF PETERSON
Chief United States District Court Judge